

IPW/645

PTO/SB/21 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number

09/830,838

Filing Date

January 08, 2003

First Named Inventor

Gerd Haberhausen

Group Art Unit

1645

Examiner Name

Unassigned

Total Number of Pages in This Submission

5

Attorney Docket Number

78-002010US

ENCLOSURES (check all that apply)

- ☐ Fee Transmittal Form
 - ☐ Fee Attached
- ☐ Amendment / Response
 - ☐ After Final
 - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
 - ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Assignment Papers (for an Application)
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition Routing Slip (PTO/SB/69) and Accompanying Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Small Entity Statement
- ☐ Request for Refund

- ☐ After Allowance Communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Additional Enclosure(s) (please identify below):

Cited References and Receipt Acknowledgment Postcard

Authorization to Charge Deposit Account

Please charge Deposit Account No. 50-0893 for any additional fees associated with this paper or during the pendency of this application, including any extensions of time for consideration of the documents enclosed.

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name

Christopher C. Sappenfield, Reg. No. 45,073, Quine Intellectual Property Law Group, P.C.

Signature

Date

May 27, 2004

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Deborah Berwick

Signature

Date

May 27, 2004



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Commissioner for Patents, P.O. Box 1450
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QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.

By

Deborah Berwick
Deborah Berwick

Attorney Docket No. 78-002010US
Client Ref. No. 18727

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gerd Haberhausen, et al.

Application No.: 09/830,838

Filed: January 8, 2003

For: NOVEL PRIMERS AND PROBES
FOR DETECTING HIV

Examiner: Unassigned

Art Unit: 1645

INFORMATION DISCLOSURE
STATEMENT UNDER 37 CFR § 1.97 and
§ 1.98

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

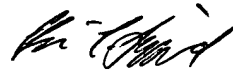
Sir:

The references cited on attached form PTO-1449 are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action on the merits per 37 CFR 1.97(b)(3). However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 50-0893. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Christopher C. Sappenfield
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Substitute for form 1449A-B/PTO

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(use as many sheets as necessary)

Complete if Known

Application Number	09/830,838
Filing Date	January 8, 2003
First Named Inventor	Gerd Haberhausen
Group Art Unit	1645
Examiner Name	Unassigned
Attorney Docket Number	78-002010US
Date Submitted	May 27, 2004

U.S. PATENT DOCUMENTS

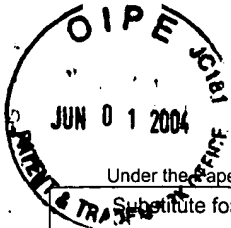
Examiner Initials	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, lines, Where Relevant Passages or Relevant Figures Appeal
		Number	Kind Code (if known)			
	1	5,773,602		Alizon et al.	06-30-1998	

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office	Number	Kind Code (if known)				
	2	EP	0 200 362	A2	Cetus Corporation	12-10-1986		
	3	EP	0 201 184	A2	Cetus Corporation	12-17-1986		
	4	EP	0 229 701	A2	Cetus Corporation	07-22-1987		
	5	EP	0 403 333	A2	Instutut Pasteur	12-19-1990		
	6	EP	0 516 540	A1	CIS CIO International	12-02-1992		
	7	EP	0 617 132	A2	Gen-Probe Incorporated	09-28-1994		
	8	EP	0 727 497	A1	F. Hoffmann-La Roche AG	02-17-1995		
	9	EP	0 806 484	A2	Institit Pasteur	11-12-1997		
	10	EP	0 839 917	A1	Boehringer Mannheim GMBH	05-06-1998		
	11	EP	0 854 197	A2	F. Hoffmann-La Roche AG	07-22-1998		
	12	EP	0 887 427	A2	Ortho-Clinical Diagnostics, Inc.	12-30-1998		
	13	WO	90/01069	A1	Segev Diagnostics, Inc.	02-08-1990		
	14	WO	92/15708	A1	Amoco Corporation	09-17-1992		
	15	WO	95/21912	A1	The McFarlane Burnet Centre for Medical Research Ltd.	08-17-1995		
	16	WO	96/02557	A1	Gen-Probe Incorporated	02-01-1996		

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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17	WO	97/46707	A2	University of Utah Research Foundation	12-11-1997		
18	WO	98/27425	A1	Isis Pharmaceuticals, Inc.	06-25-1998		
19	WO	98/44945	A1	The Immune Response Corporation	10-15-1998		
20	WO	98/58086	A2	Abbott Laboratories	12-23-1998		
21	WO	99/07898	A1	AKZO Nobel	02-18-1999		

OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
	22	DE BARR ET AL. (1999) "Design and Evaluation of a Human Immunodeficiency Virus Type 1." <i>Journal of Clinical Microbiology</i> 37(6): 1813-1818.	
	23	ISHIKAWA ET AL. (1999) Improved detection of HIV-2 proviral DNA in dually seroreactive individuals by PCR." <i>Immunochemistry</i> , Chemical Abstract 130:130 32Q.	
	24	LILIAN ET AL. (1999) "Optimization of polymerase chain reaction for detection of HIV type 2 DNA." <i>Chemical Abstracts</i> 130(2): 11070b.	
	25	LOUIS ET AL. (1989) "Chemical Synthesis and Expression of the HIV-1 Protease Gene in E.coli." <i>Biochemical and Biophysical Research Communication</i> 159(1) 87-94.	
	26	MENIN ET AL. (1997) "Identification of a human endogeneous LTR-like sequence using HIV-1 LTR specific primers." <i>Biochemical Genetics</i> , Chemical Abstracts 126:557 53Y	
	27	RATNER ET AL. (1985) "Complete nucleotide sequence of the AIDA virus, HTLV-III." <i>Nature</i> 31:277-284.	
	28	SAKSENA ET AL. (1992) "PCR amplification of large genomic fragments from human and simian immunodeficiency virus infected cell lines." <i>Chem Abstracts</i> 117: 415 03U.	
	29	SKINNER ET AL. (1999) "Analysis of a large collection of natural HIV-1 integrase sequences, including those from long-term nonprogressors." <i>Biochemical Genetics</i> , Chemical Abstract 130:105 838K.	
	30	ZIMMERMAN ET AL. (1998) "Detection of false - negative results in nested primer PCR of proviral HIV-1 DNA." <i>Biochemical Genetics</i> , Chemical Abstracts 128:578 66C.	

Examiner Signature		Date Considered	
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